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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 16th January, 1993/Pausa 26, 1914 (Saka)

THE UTTAR PRADESH CO-OPERATIVE SOCIETIES (AMENDMENT) ORDINANCE, 1993

No. 12 OF 1993

Promulgated by the President in the Forty-third Year of the Rebublic of India.

An Ordinance further to amend the Uttar Pradesh Co-operative Societies Act, 1965.

WHEREAS by a Proclamation issued on the 6th day of December, 1992 by the President under article 356 of the Constitution, the powers of the Legislature of the State of Uttar Pradesh have been declared to be exercisable by or under the authority of Parliament;

AND WHEREAS the Uttar Pradesh Co-operative Societies (Amendment) Ordinance, 1991 and Uttar Pradesh Co-operative Societies (Amendment) Ordinance, 1992 to provide for the aforesaid matters were promulgated by the Governor on 27th December, 1991 and 28th January, 1992, respectively;

AND WHEREAS the Uttar Pradesh Co-operative Societies (Amendment) Bill, 1992 was introduced in the Uttar Pradesh Legislative Council to replace the said Ordinance, but has not been passed;

AND WHEREAS the Uttar Pradesh Co-operative Societies (Third Amendment) Ordinance, 1992 was promulgated by the Governor on the 29th November, 1992 to replace the said Ordinances;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution and of all other powers enabling him in that behalf, the President is pleased to promulgate the following Ordinance:—

Short title and commencement.

1. (*1*) This Ordinance may be called the Uttar Pradesh Co-operative Societies (Amendment) Ordinance, 1993.

(*2*) Sections 2 and 4 shall be deemed to have come into force on December 27, 1991, section 3 shall be deemed to have come into force on January 28, 1992 and the remaining provisions shall come into force at once.

Amendment of section 29 of U.P. Act 11 of 1966.

2. In section 29 of the Uttar Pradesh Co-operative Societies Act, 1965 (hereinafter referred to as the principal Act), in sub-section (6), in the first proviso, for the word and figures "December 31, 1991", the word and figures "June 30, 1993" shall be substituted.

Amendment of section 34.

3. In section 34 of the principal Act,—

(*a*) in sub-section (*1*), the following proviso shall be inserted at the end, namely:—

"Provided that where the share capital subscribed to by the State Government is not less than fifteen lakh rupees, the State Government shall also have the right to nominate the Chairman of the Committee of Management from amongst the members of the Committee.";

(*b*) after sub-section (*1*), the following sub-sections shall be inserted, namely:—

"(*1A*) Notwithstanding anything contained in sub-section (*1*), the State Government shall have the right to nominate such number of members of the Committee of Management, including the Chairman, as exceeds, and is nearest to, one-half of the total number of members, if—

(*a*) the share of the State Government in the share capital of the society exceeds fifty per cent of the total share capital of the society; or

(*b*) the State Government has given loans or made advances to the society or guaranteed the repayment of principal and payment of interest on debentures issued by the

society, or guaranteed the repayment of principal and payment of interest on loans or advances to the society, in amounts exceeding fifty per cent. in the aggregate of the total amount so borrowed by the society.

(*1B*) Where the State Government exercises its right of nomination under this section, then—

(*a*) in the case of nomination of Chairman, any person for the time being holding that office shall cease to be Chairman on the date such nomination is made;

(*b*) in the case of nomination of members of the Committee of Management, lots shall be drawn by or under the authority of the Registrar on the date and at the time and place to be fixed by the Registrar in that behalf (of which notice shall be given to members of the Committee) for the retirement of so many members of the Committee as may be necessary to accommodate the nominees of the State Government, and the members whose names are drawn by lots shall on the date of such drawal cease to be members of the Committee.";

(*c*) in sub-section (*2*), for the words "sub-section (*1*)", the words "this section" shall be substituted.

Amendment of section 35.

4. In section 35 of the principal Act, in sub-section (*6*), in the proviso, for the word and figures "December 31, 1991", the word and figures "June 30, 1993" shall be substituted.

Repeal and saving.

U.P. Ord. 30 of 1992.

5. (*1*) The Uttar Pradesh Co-operative Societies (Third Amendment) Ordinance, 1992 is hereby repealed.

(*2*) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (*1*), shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Ordinance as if the provisions of this Ordinance were in force at all material times.

SHANKER DAYAL SHARMA,

President.

K. L. MOHANPURIA,

Secy. to the Govt. of India.

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